

St. Clair Newbern, III  
State Bar No. 14941000  
LAW OFFICES OF  
ST. CLAIR NEWBERN, III, P.C.  
1701 River Run, Suite 1000  
Fort Worth, Texas 76107  
Telephone: (817) 870-2647  
Facsimile: (817) 335-8658  
ATTORNEYS FOR DEBTOR/PLAINTIFF  
6531.04/sh

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

---

IN RE:	)	IN PROCEEDINGS UNDER
	)	
RICHARD LEE ZIMMERMAN	)	CHAPTER 13
	)	
DEBTOR	)	CASE NO. 09-42327-RFN-13
	)	
RICHARD LEE ZIMMERMAN,	)	
	)	
PLAINTIFF,	)	
	)	
v.	)	ADVERSARY NO. 09-04237
	)	
J.P. MORGAN CHASE & COMPANY	)	
a/k/a JPMORGAN CHASE BANK, N.A.,	)	
PENNY MAC LOAN SERVICES, LLC,	)	
FNBN1, LLC, VERICREST FINANCIAL,	)	
INC., DEUTSCHE BANK and JOHN A.	)	
LOBUS,	)	
	)	
DEFENDANTS	)	

---

**PLAINTIFF'S NOTICE OF DISMISSAL OF DEFENDANT JOHN A. LOBUS**

TO THE HONORABLE RUSSELL F. NELMS, UNITED STATES BANKRUPTCY JUDGE:

Plaintiff Richard Lee Zimmerman files his notice of dismissal under Federal Rules of

Civil Procedure 41(a)(1)(i) and Federal Rules of Bankruptcy Procedure 7041.

1. Plaintiff is Richard Lee Zimmerman; the Defendant, subject to this notice of dismissal, is John A. Lobus.
2. Plaintiff sued Defendant Lobus along with other defendants. Defendant Lobus was served with process and has not filed an answer or a motion for summary judgment.
3. This adversary is not a class action and no receiver has been appointed.
4. This adversary is not governed by any federal statute that requires an order of the court for dismissal of the adversary.
5. Plaintiff Zimmerman has not dismissed an action based on or including the same claims as those presented in this adversary.
6. Each party shall bear its own costs and attorney's fees.
7. This dismissal is without prejudice.

Respectfully submitted:

LAW OFFICES OF  
ST. CLAIR NEWBERN, III  
A Professional Corporation

By: /s/ St. Clair Newbern, III  
ST. CLAIR NEWBERN, III  
State Bar No. 14941000  
1701 River Run, Suite 1000  
Fort Worth, Texas 76107  
Telephone: (817) 870-2647  
Facsimile: (817) 335-8658  
ATTORNEYS FOR DEBTOR/PLAINTIFF,  
RICHARD LEE ZIMMERMAN

**CERTIFICATE OF SERVICE**

I hereby certify that I have this date served a true and correct copy of the foregoing via first class mail, proper postage affixed or via ECF, upon the following:

Office of the United States Trustee  
1100 Commerce St., Room 976  
Dallas, TX 75242-1496

Mr. Tim Truman  
Office of the Chapter 13 Trustee  
6851 NE Loop 820, Ste. 300  
Fort Worth, TX 76180-6608

Michael John Burns  
Brice, Vander Linden & Wernick, P.C.  
9441 LBJ Freeway, Suite 250  
Dallas, TX 75243

Cristina Camarata  
Brice, Vander Linden & Wernick, P.C.  
9441 LBJ Freeway, Suite 250  
Dallas, TX 75243  
(Attorneys for PennyMac)

Bradley C. Knapp  
Robert T. Mowrey  
Locke Lord Bissell & Liddell, LLP  
2200 Ross Avenue, Suite 2200  
Dallas, TX 75201  
(Attorneys for Vericrest Financial, Inc.  
and Deutsche Bank)

Kerry McDowell Southerland  
SettlePou  
3333 Lee Parkway, Eighth Floor  
Dallas, Texas 75219  
(Attorneys for J.P. Morgan Chase & Company a/k/a  
JPMorgan Chase Bank, N.A.)

J.P. Morgan Chase National Corporate Services, Inc.  
Attention: Any Officer, Managing or General Agent  
245 Park Ave. Floor 8  
New York, NY 10167-0002

J.P. Morgan Chase National Corporate Services, Inc.  
c/o CT Corporation System, Registered Agent  
350 N. St. Paul Street  
Dallas, TX 75201

PennyMac Loan Services, LLC  
Attention: Any Officer, Managing or General Agent  
27001 Agoura Road  
Calabasas, CA 91301

PennyMac Loan Services, LLC  
Attention: Any Officer, Managing or General Agent  
P.O. Box 829009  
Dallas, TX 75382

FNBN1, LLC  
PennyMac Mortgage Company Funding Investors, LLC  
Attention: Any Officer, Managing or General Agent  
27001 Agoura Road, Suite 350  
Calabasas, CA 91301

FNBN1, LLC  
c/o The Corporation Trust Company, Registered Agent  
Corporation Trust Center  
1209 Orange Street  
Wilmington, DE 19801

Vericrest Financial, Inc.  
Attention: Any Officer, Managing or General Agent  
715 South Metropolitan Avenue  
Oklahoma City, OK 73108

Polk Prober & Raphael  
P.O. Box 4365  
Woodland Hills, CA 91365-4365

Vericrest Financial, Inc.  
c/o The Corporation Company, Registered Agent  
735 1<sup>st</sup> National Building  
Oklahoma City, OK 73102

Deutsche Bank  
Attention: Any Officer, Managing or General Agent  
60 Wall Street  
New York, NY 10005

Deutsche Bank  
c/o CT Corporation System, Registered Agent  
111 Eighth Avenue  
New York, NY 10011

John A. Lobus  
The Law Firm of John A. Lobus  
710 Kipling Street, #402  
Lakewood, CO 80215

and those parties receiving ECF noticing.

Dated: May 5, 2010.

/s/ St. Clair Newbern, III  
ST. CLAIR NEWBERN, III